

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

West Publishing Corporation,

Case No. 18-cv-1445 (DSD/ECW)

Plaintiff,

v.

ORDER

LegalEase Solutions, LLC,

Defendant.

On December 9, 2019, the Court held a telephonic hearing on the remaining issues with respect to Plaintiff West Publishing Corporation's ("West") Motion to Compel Production of Documents in Response to Subpoena *Duces Tecum* from ROSS Intelligence, Inc. ("ROSS"). (Dkt. 62.)

Based upon all the files, records, and proceedings herein, and for the reasons stated on the record, **IT IS ORDERED THAT:**

1. West's Motion to Compel is **GRANTED** insofar as Ross shall make the unreviewed documents that hit on "Westlaw" and did not hit on another search term or are not in a family with a document that hits on another search term available for review on a platform hosted by Dorsey wherein Dorsey has instituted an ethical wall such that only the review platform administrator can see the details of the review (e.g., who reviewed which documents, at what time, and for how

long). As stated on the record, ROSS and ROSS's counsel, paralegals, and legal assistants shall not be permitted to see the details of the review.

2. West's Motion to Compel is **DENIED** insofar as ROSS seeks internal documents that hit on "Lexis" and "LexisNexis."
3. As to the Slack cost-sharing, as previously ordered, West and ROSS shall equally share the costs of processing the Slack communications, including extracting, processing for review, de-duplicating, running search terms, and converting the results to a producible format for West. (*See* Dkt. 94 at 17.) Additionally, West and ROSS shall equally share the costs of the "first pass" review by contract reviewers for relevance and flagging for privilege and redactions. However, ROSS shall bear the costs of the "second pass" review, where documents are redacted and logged as privileged and/or protected by the work-product doctrine. Ross shall also bear the costs for any quality control of the reviews by Dorsey attorneys.
4. West's Motion to Compel is **DENIED** to the extent West challenges ROSS's assertion of privilege and the sufficiency of the privilege log.
5. The Court will hold a telephonic hearing with respect to Exhibit K on **December 11, 2019 at 2:00 p.m.** ROSS shall submit an unredacted copy of Exhibit K no later than **December 10, 2019 at 5:00 p.m.**

DATED: December 10, 2019

s/Elizabeth Cowan Wright
ELIZABETH COWAN WRIGHT
United States Magistrate Judge